

## REMARKS

With this response, claims 18, 19, 21, 22, and 25-29 are amended, and new claims 38-40 are added. No new matter is added. Additionally, Applicants detected a typographical error at page 8, line 16 of the specification. With this amendment, the typographical error is corrected.

Applicants respectfully traverse, with amendment, the rejection of claims 18-30 under 35 U.S.C. § 103(a) over U.S. Publication No. 2002/0077130 ("Owensby") in view of U.S. Patent No. 6,009,403 ("Sato") at page 2 of the Office Action.

Owensby and Sato fail to disclose or suggest a motivation to make the asserted combination. Owensby discloses a mobile terminal that includes location data in its call signal and allows the service provider to target messages to the mobile device based on its location. *See Owensby*, Abstract. Sato discloses a travel plan preparing device for preparing a travel plan by accessing a database from a terminal and by acquiring information about service facilities existing on the route from a starting place to a destination. *See Sato*, Abstract. Owensby and Sato fail to disclose or suggest a motivation for combining the targeted messages of Owensby with the travel plan preparing device of Sato. Therefore, the combination of Owensby and Sato is improper and should be withdrawn.

Additionally, even if Owensby and Sato are combined, the asserted combination fails to disclose or suggest a graphical user interface to receive user inputs to define a user zone, the user zone comprising a desired area of operation to subscribe to wireless service options, as recited in independent claim 18.

Owensby discloses a system and method for inserting messages into a wireless mobile communication that are targeted to a subscriber of a wireless telephone service. *See Owensby*, Abstract and p. 6, paragraph 0043. Additionally, Owensby discloses that the wireless mobile terminal 12 generates location data identifying a real-time, physical location of the wireless mobile terminal and includes the location data in a call signal. *See Owensby*, pp. 6-7, paragraphs 0044-0045. Owensby discloses that it is possible to determine the geographical location of the subscriber. *See Owensby*, p. 7, paragraph 0045. The Office Action acknowledges that Owensby

fails to disclose or suggest a display for defining a user-selected vector with respect to the location of said mobile terminal, as recited by claim 18.

Sato discloses an input device 110 in the vicinity of the driver's seat of a vehicle for usage classification input by a user. *See Sato*, Col. 8, lines 65-67. Sato discloses that the input device 110 may be integrated with a display device 120. *See Sato*, Col. 9, lines 3-5. Additionally, Sato discloses that a global positioning system (GPS) 112 within the vehicle detects the position of the vehicle and outputs the positional information to an electronic control unit (ECU) 114. *See Sato*, Col. 9, lines 6-9. Sato discloses that the ECU transmits the positional and classification data to database 100 via transceiver 116. *See Sato*, Col. 9, lines 11-14. The service facilities coinciding with the specified classifications are sent in reply to transceiver 116, which displays a map of a recommended area "closely coinciding with the input purpose." *See Sato*, Col. 9, lines 15-26. If the user acknowledges the recommended area, a search is performed for a route to the desired final location within the area. *See Sato*, Col. 9, lines 26-31. Thus, the system of Sato allows a user to input a destination or a desired destination type, such as a ski slope, and to receive map information related to the destination type. *See Sato*, Col. 8, line 64-Col. 9, line 31).

The asserted combination of Owensby and Sato fails disclose or suggest a graphical user interface to receive user inputs to define a user zone, the user zone comprising a desired area of operation to subscribe to wireless service options, as recited in independent claim 18. Thus, the asserted combination of Owensby and Sato fails to disclose or suggest at least one element of independent claim 18 and of claims 19-30, at least by virtue of their dependency from claim 18.

Applicants traverse the rejection of claims 31-34, and 36-37 under 35 U.S.C. § 103(a) over Owensby in view of U.S. Pat. No. 6,810,257 ("Amin") at page 5 of the Office Action. Amin discloses a wireless communication system to provision a partitioned communication service. *See Amin*, Abstract. A wireless switch contains a partition table that associates a service provider with each wireless terminal. *See Amin*, Abstract. However, the switch provides services using the resources associated with the service provider and fails to disclose or suggest a user-defined desired area.

The asserted combination of Owensby and Amin fails to disclose or suggest defining a desired area with respect to the location in response to the user interaction and receiving from at least one wireless communication service provider wireless communication services within said desired area, as recited by independent claim 31. Therefore, the asserted combination of Owensby and Amin fails to disclose or suggest at least one element of independent claim 31 and of claims 32-33 and 36-37, at least by virtue of their dependency from claim 31.

The Office Action states that U.S. Patent Publication No. 2003/0059091 ("Kamble") "appears to be a 103 (a) as (sic) claims 18-33 and 36-37." Applicants disagree. Kamble discloses a road map extracting apparatus. *See Kamble*, Abstract. Kamble fails to disclose or suggest a graphical user interface to receive user inputs to define a user zone, the user zone comprising a desired area of operation to subscribe to wireless service options, as recited in independent claim 18. Kamble fails to disclose or suggest defining a desired area with respect to the location in response to the user interaction and receiving from at least one wireless communication service provider wireless communication services within said desired area, as recited by independent claim 31. Thus, Kamble fails to disclose or suggest at least one element of each of the claims 18-33 and 36-37.

With this response, new claims 38-40 are added. Applicants submit that no additional claim fees are required, since the application now contains three independent claims and twenty total claims.

### CONCLUSION


Applicants have pointed out specific features of the claims not disclosed, suggested or rendered obvious by the references applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the rejections, as well as an indication of the allowability of each of the claims now pending.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

1-11-2006  
Date

  
Jeffrey G. Toler, Reg. No. 38,342  
Attorney for Applicant(s)  
TOLER, LARSON & ABEL, L.L.P.  
5000 Plaza On The Lake, Suite 265  
Austin, Texas 78746  
(512) 327-5515 (phone)  
(512) 327-5452 (fax)